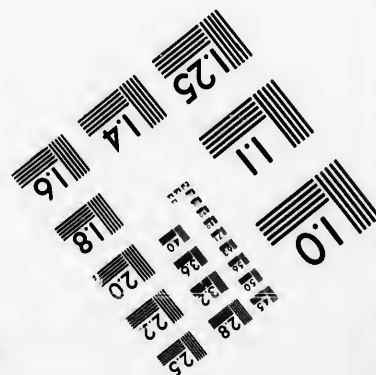
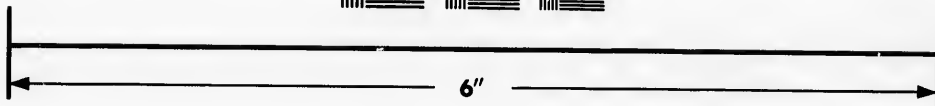
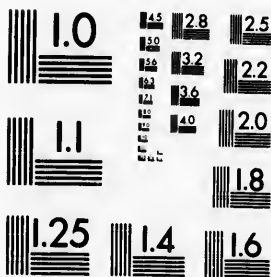


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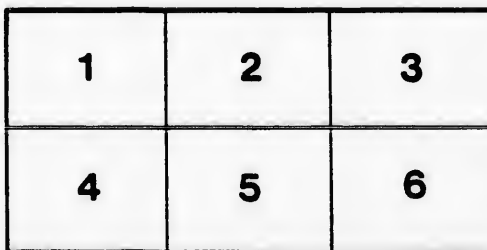
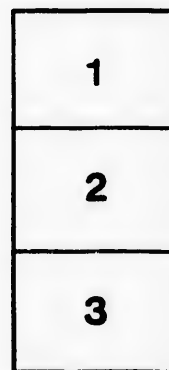
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SPEECH
OF
DAVID MILLS, M. P.,
AT ST. THOMAS,
On the 12th November, 1869,
ON THE PRESENT AND FUTURE
POLITICAL ASPECTS OF CANADA,
WITH AN APPENDIX,
CONTAINING THE LETTERS OF THE REV. ST. GEORGE CAULFIELD
ON THE IRISH QUESTION,
WITH MR. MILLS' REPLIES THERE TO.

LONDON:
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S P E E C H

ON THE PRESENT AND FUTURE

POLITICAL ASPECTS OF CANADA,

BY DAVID MILLS, M. P., BOTHWELL,

At ST. THOMAS, 12th Nov. 1869.

Mr. Chairman and Gentlemen:

When you extended to me an invitation to address you upon the political prospects of the country, my time was then so fully occupied that I could not, at once, avail myself of the pleasure of complying with your requisition. I am here to-night to fulfil the promise I made several weeks ago, and I trust that what I may have to say will not have ceased to be important in consequence of the delay.

When I look at your pleasant town, and the fine agricultural district which lies about it, I am reminded of the observation of M. Cousin, that it is not more true that we learn from the Physical Sciences something of the attributes of the Creator, than it is true that we learn from the material progress of a country something of the characteristics of its people—some thing of their industry, their energy, their enterprise, their general intelligence, their aesthetic sensibilities. Judging my audience by characteristics of this sort, I do not feel that I need be in much dread of the political prejudice of those who may differ from me upon questions of public policy; especially from that most hopeless, because most Conservative, kind of political prejudice, an unshaken faith in the superior wisdom of our ancestors.

Everybody has heard the story of the Brahmin who broke the microscope because it showed him that his religious system was erroneous. He was not a spurious, but a genuine Conservative. Now we not unfrequently meet with many similar instances in politics; persons whose prejudice declares against all progress, and who hate all who do not worship their idols; but who hate above all others those who have half convinced them that they are wrong; those who have made them, in spite of their prejudices, doubt the soundness of their political faith, and the wisdom of bringing, not the knowledge, but the prejudices and vain-glorious boastings of a past age, to the solution of modern political questions.

I confess I feel some embarrassment in speaking to you upon the politics of the day; not because there is little to be said, but from the number of important public questions that have recently been dealt with, and from the many that still await solution. It will not be possible for me even to take the most cursory view of them, much less to fully notice the tendency of each particular act of public importance. Some of those questions have not yet passed from the domain of speculative politics, where, however, it is impossible they can long remain; and of this class of political questions, by far the most important is—what is to be the future political status of this country.

The present period is a most important one in the history of the British North American colonies. Our colonial condition has, in a great degree, ceased. We are in the midst of a revolution, all the consequences of which we do not clearly foresee. We are gradually reaching a condition of puberty, in which we are becoming conscious of more enlarged views of national life, and of a growing desire to share in, if not ourselves to assume, national responsibilities. Nations, like individuals, have their periods of infancy and maturity. What is pleasing in one age ceases to be so in another. We have outgrown our infantile condition. We have thrown away our rattles and our baubles; they have lost their charm for us. We have broken our leading strings. We are every day acting with more confidence in ourselves. We have not deserted our mother. I trust this is not our wish. We cannot ignore the fact, that many able men believe we can not only walk without external aid, but that it is indispensable to our prosperity we should do so. I do not hesitate to say that, if we continue to walk with her in the future, it must be as an ally, and not as a dependent. There may be some who would like the present relations to last forever; who regard all change as unwise. However that may be, we have grown different from what we were, and it is no longer a question of doubt that we cannot be governed as we were, much less as were our fathers. I do not share in those evil forebodings which frighten the timorous. The changes which must inevitably come, like former changes, are the necessary consequences of our progress. In our past history, unjust disabilities disappeared. Special privileges were taken away from those upon whom they had, at an earlier period, been conferred, and we were told these changes would ruin the country; but our country was not ruined—it became more prosperous all the while.

There was a time in the history of this country when leading politicians held that responsible government was incompatible with British connection. How, asked they, can we remain a British Province, if the Governor is guided by the advice of a Ministry, responsible to a Provincial legislature, instead of being responsible to the Secretary of State for the Colonies? How is harmony to be preserved throughout the Empire, if there are Provincial ministers controlled by Provincial legislatures? It was maintained in one of the most carefully written pamphlets ever given to the Canadian public, that

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if the representatives of the Canadian people controlled the Ministry, Canada would be separated from the mother country. This was, at that time, also the opinion of many British statesmen, and it was not until the country became convulsed by a civil war, in consequence of the abuses which had grown up under an irresponsible executive, that any change was assented to. When the principle of responsible government was conceded, many viewed it as an unwise concession to existing discontent.

Looking at our country as it was before the introduction of responsible government and the constitution of 1841, I do not state what is likely to be disputed, when I say that much has been done, of a beneficial character, under the system of government which was then introduced. When the Constitution of 1841 was conceded, we had not a mile of railway. We had no great public works. We had a State Church. The doors of the University were closed against all who were not members of that church. One-seventh of the public lands were reserved to perpetuate religious strife—to remind a great majority of the people that they were in a position of political inferiority; at the same time six millions of acres of the Crown domain had become the private property of speculators. The Government had fallen into the hands of men who looked upon themselves as heaven-born rulers; but they were, in fact, a bastard aristocracy, who adopted a policy intended to prevent men of intelligence and enterprise from immigrating to the country, lest they might become dangerous rivals for political influence and power. The public funds were treated as the private property of those to whom they were intrusted, without fear of punishment or disgrace. If we look at the old Government of Lower Canada we find that it was even worse than that of Upper Canada. It arrayed race against race, and religion against religion. It turned away the tide of English emigration from that Province, and the consequence has been, that to this day the descendants of the French are an immense majority of the population. Not fewer than 160,000 persons left the Province prior to 1850 to seek a more congenial field for industry and enterprise in the United States. In all well governed countries the increase of wealth more than keeps pace with the increase of population, but in Lower Canada, before the introduction of responsible government, notwithstanding the large efflux of people, the ratio of the increase of population was more than twice as great as the increase of wealth.

Permit me for a moment to remind you of the many reforms which were effected under the old Union. The establishment of municipal institutions; the reform of the election law; the extension of the elective franchise; the removal of the disabilities in the solemnization of marriage; a radical change in King's College; the establishment of Common Schools; the secularization of the Clergy Reserve lands; an elective Second Chamber. These are the principal reforms; all of them of the greatest importance in the progressive development of political liberty. So you see that much was accomplished under the

old Union, and, although many abuses grew up as we advanced, and Constitutional defects became apparent, of which I may by-and-by speak, it cannot be doubted that, under that Union, we were much better governed, and much more prosperous than we had been before.

We have in our onward march taken another form. We have departed essentially from the principle of the old union. That union was theoretically a Legislative union. In practice it became an imperfect and unsymmetrical federal union. In beginning to lay the foundations of a new nationality upon the federal principle—the only form of representative government that is applicable to an extensive territory—I do not hesitate to say that our success, so far as it depends upon ourselves, will be determined by the strictness with which we adhere to the federal principle.

There are those who think that the present Confederation is but a preparation for a separation from Great Britain. Now I don't think this is a necessary consequence of Confederation. The union of the outlying Colonies; the establishment of improved means of communication; and the correction of defects in our New Constitution, are sufficient to occupy our attention for some time to come. But we must before long consider this question:—How are we to exercise all the powers of an independent state, and at the same time remain a portion of the British Empire? To my mind this question does not present insuperable difficulties. The narrow prejudices, and that meaner kind of patriotism, which are the most formidable barriers to union, are broken down as society advances, and men become more cosmopolitan.

I have no doubt that to many a thoughtful and moral man of Pagan Rome, who looked upon religion as an affair of state, nothing could have been more perplexing than the phenomenon of Christianity. "How," he would ask, "can this new faith, which appeals alike to all classes and all nationalities, which invites the friends and the enemies of the Roman people within its pale, be reconciled with loyalty to the Empire?" It did not occur to any Roman statesman that it could be reconciled by circumscribing the functions of the state. And so we find in every stage of social and political progress, questions presenting themselves which startle men because they suggest difficulties that are apparently insurmountable, and they only appear as difficulties at all because of defects that need amendment. The statesmen of England, as well as of Canada, will soon be forced to consider what powers must England surrender, and what change must be made in her constitution, to harmonize it with the new order of things that must exist if the Empire is to endure?

Several prominent politicians of the Province of Quebec have recently declared themselves in favor of the independence of Canada. Among the most able of these are Sir A. T. Galt, Hon. Mr. Young, and the Hon. Mr. Huntington. I do not think this question is one generated by hard times among the people, or by restless and dissatisfied politicians. I do not think

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It is an unimportant question, asked to-day and to be forgotten to-morrow. There are great natural laws by which society is impelled onward. We may not be able always to trace all the vital forces which are operating upon it, and which render its march irresistible.—I have already said that our present state is a transition one. I do not believe it possible, and if it were possible, I believe it would be highly undesirable, that we should continue simply a dependency of England long after Confederation is completed. I believe there are certain conditions necessary to the highest success, that are unattainable while the colonial condition continues. I have already mentioned some objects that are sufficient to fully occupy our attention for the present; but when this task is done, we will all ask ourselves what next? The young man who grows up at his father's hearth, if he be a man of any capacity, is not content to remain forever his father's ward; never thrown upon his own resources; never taught to rely upon himself. As it is with persons so it is with nations. We are not yet permitted to appear in society. Scotland, with her three millions of people, elects members who are to discuss questions of peace and war; who enter into treaties with foreign states, who send ambassadors abroad to all quarters of the globe. We with our four millions do none of these things. The horizon of our political world is bounded by our own territorial limits. Theirs extends to the remotest corners of the world. Who will say that the wider field and the greater responsibilities that devolve upon them are not better calculated to rouse up their energies, and to call forth every latent power of the mind.—Mr. McDougall, in speaking of the powers of self-government which we exercise, asks us "what more could we desire." For the present, I ask for nothing more; for the present, I think them sufficient. But, let me ask, would England think it a light matter to surrender her control over her foreign relations? Would her statesmen feel it was not a humiliating condition if she were forced into a war without her consent? Is that which she would not willingly surrender, of no consequence to us to acquire? Are questions like these of no consequence in a nation's life? Do they afford no scope to statesmanship? We may deceive the intellect, but we cannot deceive the heart of man; and the time must come when the people of this country will claim their right to share in the exercise of national power.

There are but four possible conditions: 1st—To remain as we are. 2nd—To establish an Independent Government. 3rd—Annexation to the United States. 4th—To become a part of a re-organized Empire. The first, I have said, I don't think can long be continued. Nor do I think that the establishment here of an independent government, would enable us to develop those latent powers which would make us in reality something more than colonists. If we occupied, geographically, an insular position, our maritime power might prove an adequate protection. But we are beside a powerful nation, speaking the same language and possessing similar institutions, against whom our maritime strength, for the purpose of self-protection, would be

utterly unavailing. Now the spirit of nationality would wither in the presence of a superior power. We would have the ever present consciousness that we were independent by the forbearance of a powerful neighbor. If at some future period the United States should be divided into two or more countries, the question of independence would be entirely changed. We are not in the position of an European country of the same resources. The powerful states of Europe are jealous of each other, and are generally ready to come to the rescue of the smaller states. This is not our position. There is no such balance of power here, and it is impossible to establish it.

It appears to me that the course most acceptable to the people of Canada would be a Confederation of the British Empire—a Confederation in which the British Isles will have retained all the powers of local self government that we now possess, and will have surrendered to an Imperial Legislature the regulation of foreign commerce, the external relations of the Empire, and the maintenance of an army and navy.

When this Confederation was formed, each Province was obliged to surrender a portion of the power it possessed to be shared by the United Provinces in common. Now, in my opinion, the time is near at hand when the question whether we shall continue a portion of the British Empire or not, will be pressed upon the attention of British Statesmen; and whether we do so continue will depend upon their willingness to share with the colonists the exercise of Imperial power. The age in which we live is an age of self-reliance and of progress. We see in every part of the globe the isolated and disjointed fragments of a "Greater Britain," rapidly rising in importance. The colonies of England have no representative relationship with each other. The Government of Great Britain, for Imperial purposes, except for the mother country, is not a representative government. I believe the Empire is near that point where the road parts, and there our relations must be changed if we continue to travel together. I trust, when that point is reached, the statesmen of England will prove equal to the occasion, and in the spirit of broad patriotism they will surrender something for the good of the whole. I trust they will be able to exercise that self denying patriotism that they pressed so earnestly upon the unwilling people of Nova Scotia. Long, long before the new Union has attained the age of the old, the relation of England to her colonies will be first among equals, or it will be nothing at all.

In order that I may bring before you as vividly as I can our present political relations with the mother land, permit me to give you an illustration. We have at present a local legislature for Ontario; but, besides this, she is represented in the Parliament of the Dominion. Now what would you think of the proposal to abolish the Federal Parliament, and confer upon the Local Legislature of Quebec federal powers, in addition to her local powers? No one in his senses could for a moment entertain such a proposition. Yet such is the relation of England to her colonies. So far, then, as she does for

us what we are not! liberty to do for ourselves, her Government is not for us a representative Government, but an absolute one. The relation is one to which we willingly submit, because it has always existed. Because we had ^{had} not outgrown the childhood of our national life, it has been beneficial to us; but when that condition ceases, this relation of dependence, if it were possible to continue it, instead of being an element of strength, would become a badge of inferiority, and a mark of humiliation.

I shall not here enter into a discussion of the practicability of such a union. I know that men of great ability and influence in England have pronounced against it. Mr. Mill gave the subject a passing notice in his work on Representative Government which was written ten years ago; but, during ten years, important changes take place in a nation's life and in men's opinions. This is an age of change, of revolution. We stand in the presence of great events:—

“ We live in deeds, not years;
In thoughts, not in breaths;
In feelings, not in figures
On a dial.”

And it may be, that even to so profound a thinker as Mr. Mill, there are elements of union visible to-day which did not seem to exist when he expressed an opinion upon the subject. I do not think that the objections stated by Mr. Mill, to a federation of the British Empire, are as applicable to-day as when he wrote. He states three conditions as essential to federation:—The first is mutual sympathy among the population; the second is that the individual states be not so powerful as to be able to rely upon their individual strength; and the third condition stated is, that there be not a marked inequality of strength among the several contracting states. Now, I don't think it would be difficult to show that every one of these propositions requires important qualifications to reconcile it with existing facts, and Mr. Mill is not a philosopher of that school which would exclaim—“ So much the worse for the facts.”

Mr. Mill says, in speaking of the union between England and her colonies, that countries separated by half the globe do not present the natural conditions for being under one Government, or even members of one federation. If they had sufficiently the same interest, they have not and never can have, a sufficient habit of taking council together. They are not parts of the same public; they do not discuss and deliberate in the same arena, but apart, and have only a most imperfect knowledge of what passes in the minds of each other. I may not have given you Mr. Mill's exact words, but I have given you his idea correctly, and there cannot be a doubt that the greatest obstacles to a union of England and her colonies, under one federal government, are those stated by Mr. Mill. I believe we have sufficiently the same interests. We may acquire the habit of taking counsel together; and we can become parts of the same public. The views expressed by Mr. Mill

are the same as those expressed by Goldwin Smith, with this single exception, that Mr. Mill expresses the opinion that the condition of perpetual tutelage is a possibility. He tells us that England enjoys no advantage from her colonies except that derived from *prestige*, and this is quite outweighed by the expense they cost her, and the dissemination they necessitate of her naval and military force, which in case of war, or any real apprehension from it, requires to be double, or treble, what it would need to be for the British Isles alone. To me it appears not more true "that man shall not live by bread alone," than it is true that you cannot estimate the benefits of one country to another in this way. There are difficulties met with and surmounted in the life of man that awaken new trains of thought; that open up new ways to greatness; that effect every subsequent act of his life. Such, too, are the effects of the enlarged experience and the increased responsibilities of colonial dominion. Who will pretend to say what England would have been without her colonies? I think I could point to more than one important lesson in the school of political liberty England has taught to mankind, which she herself first learned from contact with her dependencies. I shall not here notice the evidence of a progressive tendency towards a condition favourable to a general confederation, further than to observe, that every treaty of commerce entered into by independent states, brings about, to a certain extent, a union between the states that are parties to it, and so far from our increasing wealth and power making it our interest to seek a separate political existence, or the interest of the mother country to sever all political relations, the more intimate our commercial relations with England become, the stronger will grow the ties that bind us together. I have already stated what form that relation must, at an early day, take. Passing by all the elements of union, except the commercial one, it must, I think, be plain to every one who has thought upon the question, that the doctrine of free trade has carried us forward a long way towards an Imperial federation. Free trade is a cosmopolitan doctrine. It is as wide as humanity. It makes those who act upon it one people commercially. It renders impossible those political jealousies that the mercantile system produced. It recognizes among the various races of men who inhabit the earth no real antagonism of interests in matters of commerce.—When I consider the generous views of human society which are intimately connected with the doctrine of Free Trade, and upon which it ultimately rests, I confess I fail to see any insuperable barrier to a grander federation. Once admit, even no more than is conceded by Free Trade, that the commercial interests of England and her colonies are the same, and you are already possessed of a powerful instrument for breaking down those barriers which are ignorantly reared and strengthened by a system of exclusion, because it can awaken no other than a generous rivalry, as it gives to all peoples, and all nations, who have any commercial relations, an interest in the prosperity of each other, and thus becomes a promoter of the arts of

peaceful industry over the globe. The social idea which underlies the doctrine of Free Trade, like that of justice in civil society, goes far to make men feel their interests and obligations to be mutual, and thus alone to furnish the first condition that Mr. Mill mentions as indispensable to union. Now, will England, who has been the pioneer among nations in this matter of Free Trade, refuse to recognize all the consequences of progress, and refuse to share with the colonists the exercise of Imperial power? When I look at her vast colonial possessions, her populous Indian Empire, beginning where that of Alexander ended—her numerous military posts, on island and continent, in every quarter of the habitable globe; used, not for the purpose of menacing the trade or the independence of other states, but to promote peace and to open a wider field for honest industry, I ask myself the question, Why has Fortune been so lavish of her gifts to our mother land? and I know of no other reason than this—She has been held by Providence worthy to possess them. Holding the gates of commerce over the world, she has thrown them open to mankind because she feels that she thus best stimulates her own people to put forth renewed efforts to exert still greater energy, and greater skill; and while in this way contributing to the prosperity of the Empire, she no less contributes to the prosperity of nations. When, then, I consider her past history and present position, I cannot permit myself to doubt that when she is forced to consider the question, she will do so in a manner not unworthy its importance. With regard to Mr. Mill's second condition, I have no doubt it would hold good if the proposal was to unite two independent states; but to change the form of an existing union is a different thing, and because England may be powerful enough to maintain her independence, I don't believe will be a serious barrier to a federation. She will lose much by a total separation from her colonies; and when she is obliged to choose between such a severance and sharing with them Imperial dominion, she will feel the latter to be the lesser sacrifice.

At a recent meeting of the Social Science Congress, the subject of the relation of England to her colonies, occupied a large share of attention. There was at that Congress two modes of a closer union suggested, neither of which, in my opinion, could work satisfactorily. The one mode is to give the colonies representation in the Parliament of Westminster; the other the formation of a Colonial Council, with the Secretary of State for the Colonies, at their head for the Government of the Colonies. As to the first of these plans, it would give to colonial representatives the power of improperly taking part in the settlement of questions local to the British Isles, and, from the double functions that would devolve upon a Parliament so constituted, it would be difficult, if not impossible, to reconcile it with Cabinet Government. Are colonial representatives to assist in defeating a Ministry upon their educational policy for England? Are they to have their theory of a double majority? Is a Ministry to retire from office upon an adverse vote

of the whole House, while enjoying the confidence of a majority of the British members, whose constituents alone, it may be, are effected by the Bill upon which ministers are defeated?

As for a Colonial Council it would fail in the principal object for which any such organization should be had; namely, making all parts of the empire acquainted with their deliberations; making the people of the whole empire one public, by interesting them, in every portion of it, in the proceedings of the same body. It is not enough that the members of a council should be informed of the general wants and interests of the Empire; the people, as one public, must be informed, and they only can be so informed by the public discussions of a representative legislature.

I have said this much of a matter that is still in the future; but I thought as it had been recently discussed, both in this country and in England, by public journals and by members of parliament, it could not be improper on my part, to give expression to opinions which I have for some years entertained, and which recent discussion have tended to confirm. I have done so with the less hesitation because, I regret to say, there has been exhibited for some time in this country a disposition to look with contempt upon transcendental politics; that Government is an applied science, and has, therefore, underlying its organization, its relation to society, and the subjects with which it should deal, certain first principles which ought to be understood, is entirely ignored, except in the limited field of political economy, where it has received but a partial recognition.

There is a class of gentlemen who are proud of being considered practical men, who despise what they call theory—that is first principles—who place legislation on a level with book-keeping. They forget that the practical questions in which they take an interest, are not without a theoretical bases, and it is only by a recognition of these theoretical bases that obvious defects are corrected. The man who can praise a ministry or add up a column of figures, and show that too much has been spent here, and too little there, is held to be quite competent to legislate wisely and well. But even this much may not be required; and I could name more than one constituency, represented by gentlemen who are satisfied with endeavors to look wise, and who would feel that it would be quite as rational to expect them to lecture upon the philosophy of Epictetus, as to discuss any question of public importance. If there be any politicians of this school here, I have no doubt but they will think it as idle to discuss the probable form our future relations with England will take, as to discuss the origin of a belief in fairies.

Well, I shall not trouble you further with speculative questions. There is nothing about which we are more likely to err, than in our conclusions as to the future of a nation. New elements frequently appear which have not been taken into account, and the facts of history are made to falsify the deductions of political philosophy. In this matter of our future relations with England,

how different might be the result if the colonies generally were to adopt a protective policy to such an extent as to destroy them as markets for the products of British industry. Who can doubt that England would be anxious to break the present connection and seek new territories upon which to plant her surplus population, and to find new customers for her merchandise? There is still before her the immense regions explored by Dr. Livingstone, and numerous islands in the Eastern Archipelago, as inviting, and it may be, as well suited to the British people, as any they have yet occupied. Now it is clear to my mind, that if the colonists feel a protective policy to be necessary to their prosperity, they will not desire a closer union with England, and the desire to put an end to all union will become mutual. What would be the effect upon us, I shall not discuss, but this we do know, that wider and still wider would spread our language and our race.

We can deal with the present with more confidence. The first Parliament of our New Dominion still exists. The first Ministry is still in power, and if I did not express to you any opinion upon the work performed, and of what still remains to be done, I should, I am sure, greatly disappoint you. You are aware that, at the last election, we had two parties, a Reform party, and a hybrid party, formed by the Coalition of Conservatives and millenarian Reformers, who scarcely knew whether it were best to say "good Lord or good devil," in their anxiety to worship success. These gentlemen were calmed by the assurances of their new allies, who declared there were no definite issues between parties before the country; that party divisions, which owed their existence to public questions which had been settled by the coalition of parties, ought not to be perpetuated; that the past ought to be forgotten; that we were beginning a new order of things with loftier pretensions to higher political aims, with cleaner hands and with purer hearts. I never had any doubt as to what all this pretention to moderation meant—that it meant success by artifice, instead of by open and manly opposition. This hybrid party everywhere had possession of the Government, and it sought to obtain sympathy by pretending to refuse to have any contest; by asking to be left in peaceable possession of the Government. A victory was obtained by appealing to the public sense of generosity and fairness, and by carefully keeping out of view the probable consequences of success.

The electors were warned against being misled by the often told tales of extravagance and corruption which had, by certain Reformers, been repeated to satiety. Speeches, it was said, reiterating statements affecting the probity of public men, had lost their potency in carrying men to Parliament. It was declared the country required rest from political turmoil; that those who came forward as opponents of the new Government were men who delighted in mischief; men who desired nothing so much as public strife, and the success of our new Confederation required that they should be defeated at the polls and driven into retirement. I dare say, representations of this sort

were made here, and that here, as elsewhere, a large number of electors were induced to support Ministerial candidates who are opposed to the policy of the Government.

I confess I would much rather see the Reform party succeed in securing a majority by the excellence and popularity of their measures, than by the ascribed baseness and unpopularity of their opponents. It may be true that many honest men sincerely regretted that charges of extravagance and recklessness in dealing with the public funds were made against the leaders of the hybrid party, and I can feel a very great deal of respect for men who take a generous view of human nature, and who, in consequence, dislike to hear anything which may bring prominently forward its more ignoble features; but these who do this are not men who are careful of the conduct of public men of a particular party only; but who are never tired misrepresenting the acts and impugning the motives of those who may belong to an opposing political party. We should not be "swift" to believe charges involving moral turpitude, but when specific charges are made it is quite as necessary that the public should know whether such charges are true, as to know how often they have been repeated; and it may be that those who regret that there has been any occasion are quite as candid, and quite as rational, as those who are indignant at hearing them. He is indeed a laggard who would sooner be robbed than disturbed by a faithful sentinel, and something worse than a laggard who would call upon the burglar who robbed him to assist him in punishing the sentinel who had warned him. But I do not purpose to-night to discuss the personal misdeeds of public men, and although, in addressing you, I shall freely criticise the conduct of our opponents, I shall assume that their intentions are upright, and that in all their acts, legislative and administrative, they were doing that which they believed to be best for the public welfare, and after doing this, I don't think it will be difficult to show you that the Government would be better in other hands. There are always two general questions before the people—What shall be done? and by whom shall it be done, and the Government carried on? The first mainly concerns the legislative action of Government; the second relates to its administrative action and it is because this is the case, that society naturally divides itself into two parties—those who think the golden age is past, and those who believe it has not yet come. The former are Conservatives; the latter Reformers. The man who is constitutionally conservative fights against all change as an evil in itself. He sees a clear sky nowhere except in the distance behind him. He thinks modern progress, if persisted in, will again lead to barbarism. Now in a free state, such a party has its functions. It gives stability by the strength of its prejudices, to the political institutions of a country. It gives to society time to reflect and consider the propriety of the changes proposed by a Reform party. It prevents any alteration in the Government until the proposed reforms have been discussed, and the public mind has been made to under

stand their utility. A Conservative party does nothing by way of positive improvement. It may sometimes prevent mischief. All its legitimate functions are negative.

Not only do we see this Conservative element everywhere manifesting itself in civil society, but each individual, however liberal he may be, possesses it to a greater or less extent. Were this not the case, there could be nothing like fixity of opinion. Men would change their opinions upon every topic every time they met in discussion any person possessed of greater dialectical skill than themselves. They would take no time to correct one opinion by another. Generalization would become impossible. They would frequently be found holding antagonistic opinions upon cognate subjects. The world of thought would become a chaos, every moment presenting some new effect of light and shade, aiming at nothing and ending in nothing, except change. I have thus admitted freely that a Conservative party has a necessary place in the state. Its existence as one of the parties in a representative government, shows that society exists, not as a mere mechanism, but that it has become organic, and as an organic body it possesses those vital forces which will repair the wastes that time and change are ever making. But allow me to say a Conservative party alone can do nothing. The energies of a people would perish if there was no other political party. The government and the people would become as fixed and as stupid as Atlas. No modern nation, not having a most corrupt government and a most ignorant and superstitious people, has long submitted to Conservative rule. France was thus cursed before the first revolution, and what was the result. At first every channel of progress was closed by the universal dominance of the spirit of conservatism, then the floods came and the waters rose high, and swept away all the ancient institutions of the state.

The body politic under a representative system can no more perform its proper functions without opposing parties, than the human body can perform all its various motions without antagonistic muscles. We have been accustomed of late to hear a great deal said by shallow writers and declaimers of the evils of party. Many of these blind guides frequently speak and write as if parties consist of multitudes of unthinking men, enlisted under rival chiefs, who are artfully creating differences among the people, that they may the more effectually use them to forward their ambitious designs. Others of them admit that parties do occasionally perform useful public services. Where great public questions are undecided, we are told that those who wish to settle them in this or that way do well to combine, and thus form parties; but that when the object for which the combination was formed is accomplished, parties should be disbanded. I need not tell you that for all such notions I feel no great amount of respect. They deny a fundamental principle of our system; for cabinet government is eminently a government by party; and to deny the

utility of parties as permanent organizations, is in effect to condemn the system of Cabinet Government.

"Mock philosophers," says Earl Russell, in his excellent work on the British Constitution, "are always making lamentations over political divisions and contested elections. Men of nobler minds know they are the workshops of national liberty and national prosperity. It is from the heat of the smithy that freedom receives its shape, its temper, and its strength."

Now, while it is quite true that a party consists of persons who are generally agreed in promoting by their joint endeavors the national interest upon some particular principle upon which they are agreed, yet it does not follow because there is agreement upon a particular question, that those who are thus agreed are of the same party. Men may agree upon a legislative policy, and may differ widely as to a proper administrative policy. Agreement or disagreement upon practical issues in legislation, is the evidence rather than the origin of parties. I cannot give you a better illustration of this than by referring to the observations made by Mr. Pope, of Compton, and Mr. McDougall, of Three Rivers, during the discussion in the House of Commons, upon dual representation. Both admitted dual representation to be an evil; but both declared they would vote against the bill for its abolition because they did not wish to vote against their party. Now they must have understood party to mean something else than mere agreement upon a particular question. Party is due to those mental tendencies which lie at the basis of political distinctions. No one, having any knowledge of the subject of political philosophy, would hesitate a moment in classing Gladstone, Bright and Mill among Liberals, even though they may differ widely upon certain questions of practical politics. The drift of their political theories is in the direction of progress, and their sympathies must be the same, notwithstanding these differences.

In a new country, like this, where we all begin on the same level, in which there are no political privileges of an hereditary character, the elements of progress must be necessarily strong; and in speaking for the existence of parties, I speak specially for the conservative party; for if either party is annihilated, it must be the conservative party. It is largely in the minority in the country. It is strong in parliament beyond what its numbers warrant, because it received the support of a section of the reform party.

Parties are not like summer flowers that spring up for a season and then pass away. Parties in a period of general political enlightenment grow spontaneously out of innate differences in the mental constitution of men; they may be changed but they cannot be destroyed by political revolutions; they will always be found an indispensable accompaniment of popular government. Sometimes here or there will be found a man changing from conviction; for men are brought, sometimes, into one party by education, who

naturally belong to another party. When the elder Peel introduced his son Robert to Lord Liverpool, he said, "I have educated my son a tory, but he is by nature a whig; you must try and keep him on our side."

I defy those most narrow-minded and most zealous party-men—the declerics of party—to name a period in the history of England since the days of the Stuarts, when there were not at least two political parties in the state. I do not pretend to maintain that party is an unmixed good. Like every other useful institution, it is liable to abuse. It has sometimes aroused evil passions. It has divided fellow countrymen into opposing parties, actuated by feelings of the bitterest hostility. It has caused the conduct of public men to be misjudged and their motives to be misrepresented. These are but the incidents of human frailty, and are found in the most essential institutions of society. But the good achieved by party organization far more than outweighs the evil. There were not even the germs of party discernable before the time of Elizabeth; and Pym, in the time of Charles the first, may be regarded as the first leader of a regular parliamentary opposition. Before the existence of party, abuses were corrected by classes that were oppressed who asserted their natural rights. There was often a resort to arms before concession could be obtained. Important rights were conceded by the triumphs of treason over tyranny. But no one familiar with English history can be ignorant of the fact, that those rights which were conceded at one time to one parliament that menaced the person of the monarch, were surrendered by another parliament, the most abject, without complaint; so that the government oscillated in practice between an oligarchy and absolutism. Why do we not feel the same dread of a standing army that was felt in the time of the Stuarts, and of William of Orange? Why, but because there is a regularly organized parliamentary opposition, who see that the executive in administering the law, respects the law, who let the light of day into the darkest recesses of the state; who have created that new power which we call public opinion, by which ministers are justified or condemned; and who, by their ceaseless diligence give to the progressive reforms of to-day a stability unknown to our ancestors. It is not true, as stated by Lord Brougham, that party shuts out one-half of the statesmen from the service of the state. An honest and enlightened opposition may serve the country as faithfully and as well as a ministry. I say, therefore, with Lord Jeffrey:—"With regard to the tumult, the disorder, the vexation and the discomfort which certain sensitive persons, and great lovers of tranquility, represent as the fruits of our political dissensions, I cannot help saying I have no sympathy with their delicacy or their timidity. What they look upon as a frightful commotion of the elements, I consider as nothing more than a wholesome agitation; and I cannot help regarding the contentions in which freemen are engaged by a conscientious zeal for their opinions as an invigorating, and not an ungenerous exercise. What serious breach of the public peace has it occasioned? To what insurrec-

" tions, or conspiracies or prescriptions has it ever given rise? What mot
 " even, or tumult, has been excited by the contention of the two great parties
 " of the state since the constitution has been open, and their weapons appointed
 " and their career marked out in the free lists of the constitution? Suppress
 " these contentions indeed—forbid these weapons and shut up these lists, and
 " you will have conspiracies and insurrections enough. These are the short-
 " sighted fears of tyrants. The discussions of a free people are the preven-
 " tions and not the indications of radical disorder, and the noises which make
 " the weak-hearted tremble are but the murmurs of those mighty and mingling
 " currents of public opinion which are destined to fertilize and unite the
 " country, and can never become dangerous till an attempt is made to obstruct
 " their course, or disturb their level."

" For the base retainers of party indeed—those marauders who follow in
 " the rear of every army, not for battle but for booty, who concern them-
 " selves in no way about the justice of the quarrel, or the fairness of the
 " field—who plunder the dead and butcher the wounded, and desert the
 " unprosperous and betray the daring; for those wretches who truly belong to
 " no party, and are a disgrace and a drawback upon all, I shall assuredly
 " make no apology nor propose any measure of toleration. The spirit by
 " which they are actuated is the very opposite of that which is generated by the
 " parties of a free people; and accordingly it is among the advocates of
 " arbitrary power that such persons, after they have served their purpose, by
 " a pretense of patriotic zeal, are ultimately found to range themselves."

" By argument and discussion," says May, " truth is discovered, public
 opinion is expressed, and a free people are trained to self-government. We
 feel that party is essential to representative institutions. Every interest, prin-
 ciple, opinion, theory and sentiment finds expression. The majority governs;
 but the minority is never without sympathy, representation and hope; who
 can doubt that good predominates over evil? Who can fail to recognize in
 party the very life blood of freedom?"

Every administration is surrounded by a class of men seeking places of
 emolument, and the fear of exposure, and the loss of power consequent
 thereon, enables a government to resist importunities to which they would
 otherwise yield. Parties, therefore, at a time of comparative political quiet,
 have important public functions to perform, and even in such a period, they
 do a great deal to prevent the public funds becoming an object of plunder,
 and a source of personal corruption.

The policy of the Ministry at last election was an attempt to create a new
 and powerful party without any well settled principles upon which concerted
 action might be taken. The basis was of the most latitudinarian character,
 and the most contradictory views may be entertained by its supporters, with
 out being open to the charge of political infidelity. The elections had no
 sooner ended than personal jealousies began to be exhibited, and from that

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moment until this the Cabinet of the Dominion has presented a series of dissolving views. Every man has had his double. There has not been a Minister, from the Premier downwards, who has not been dogged by rivals in his own party ready to trip him up. The large and motley crowd that follow in the wako of the Government have only been kept tractable "by the joint influences of fruition and hope." There are little bands of malcontents who meet in cabal to devise means to strangle this or that Minister at the first favorable opportunity. The Government has become a caravansera, into which the ambitious press for admission, and from which the weary depart into profitable retirement. The effect of the Ministerial victory has been that they feel sufficiently strong to disregard the opinions or the votes of their opponents. The Ministry are weakened by the completeness of their success. They now suffer from an "apoplectic plethora." To use the words of a great English statesman, on a similar occasion, "Their success offers vengeance to the discontented, and distinction to the ambitious; and employs the energy of aspiring spirit, who otherwise may prove traitors in a division, or assassins in a debate."

Now, if we look at the Ministerial policy we will find it to be a synonym for failure in everything which has been undertaken. An Intercolonial Railway, by an extraordinary provision, such as perhaps never found its way into a fundamental law in any other country, is made a part of the Federal compact, and instead of utilising existing lines, a circuitous route is chosen, over no portion of which is there any existing road, and which will cost many millions of dollars beyond what it would otherwise have been necessary to spend. Now, I shall not charge the Government with setting to work deliberately to abuse the public credit, and to burden the future by a stupendous folly, but this will unquestionably be the effect; and it is not the only outward and visible expression of the visionary schemes of practical politicians. This much we do know, that it will entail upon the country a double burden—the cost of construction, and the cost of maintaining an unprofitable public work; and of both these burdens this Province, which can never be benefitted to the extent of a farthing, will begin by paying five-ninths; and as time advances her proportion of the contribution will increase.

But the fault of this selection, although primarily with the Ministry, is also chargeable upon those gentlemen who abdicated their functions as members of the House of Commons, and placed the matter entirely in the hands of Ministers. The Opposition were assured that there was a division in the Cabinet upon the selection of the route, and further surveys must be had; and those who were willing that others should do what they dare not do themselves, voted that Ministers might select the route, secure the Imperial guarantee, and enter into contracts for its construction without the sanction of Parliament. It was well known that Ontario preferred a cheaper route, and but few members from Ontario would be willing to make the Northern route,

by their votes, the one over which to build the road. Now look at the facts. The Government ask for more time, that they acquire further information. But when the papers are brought down the following session, it is seen that no further information is had; that Ministers had agreed without that information which we were assured was essential to agreement. It was well known, too, that the selection of the Northern route would be exceedingly unpopular in New Brunswick, and by the story of disagreement in the Cabinet, the New Brunswick members were induced to hope for a favorable selection from Ministers, and were thereby entrapped into voting to place the matter beyond the control of the House. Mr. Tilley was thus saved the humiliation of being opposed by the whole of his supporters, and they felt they had been compromised and betrayed. Mr. Cartier was strengthened, and so was Mr. Kinney. There is a spirit of rivalry existing between Halifax and St. John, and those Nova Scotians who are opposed to the construction of a road by which it would be possible to benefit St. John, are, no doubt, satisfied. Now, let me ask you, looking at all the facts, did not the Ministerial supporters from Ontario know when they voted to place the whole matter in the hands of the Ministry, that they were in effect voting for the Northern route? Did they not, in this way, seek to shirk the responsibility of an act which they indirectly supported?

not But we have been told by the apologists for this transaction that had we chosen Major Robinson's route, the Imperial guarantee would not have been obtained. I deny this. Had this been the case the fact would have been stated in the Imperial Act promising a guarantee upon a certain condition; but suppose this were true, is it cheaper to borrow twenty millions, for three-fourths of which the Imperial Government have become our surety, than eight millions on our own account?

The next act of ministers to which I shall refer is the annexation of the North-West Territory. By the British North American Act it is provided "that it shall be lawful for the Queen by and with the Advice of Her Majesty's Most Honorable Privy Council on Addresses, from the Houses of the Parliament of Canada, to admit Rupert's Land and the North-Western Territory, or either of them, into the Union, on such Terms and Conditions as are in the addresses expressed, and as the Queen thinks fit to approve, subject to the provisions of the B. N. A. Act, and the provisions of any Order in Council in that Behalf, shall have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland!"

No one, who looks at the Act, and the manner of its origin, can fail to perceive what was intended: can fail to perceive that it was intended to provide for the organization of a Government, and the distribution of power between the Local Government and the Government of Canada. This section of the British North America Act, in effect, says this:—The Imperial Government are in favor of the Confederation of the Provinces on the plan pro-

vided in the B. N. A. Act, as fast as the Provinces are prepared to enter into such a union. They wish to accomplish this without the necessity of further Imperial legislation. The Imperial Government have declared the terms of union shall be set forth in the address in the case of existing Provinces, by the legislatures of those Provinces, as well as by the Parliament of Canada. In the case of those Provinces, the questions of debt and of subsidy are to be agreed upon, and if it is thought desirable to vary the distribution of legislative powers, so far as any one of these outlying Provinces are concerned; this, also, is to be stated in the addresses. These provisions are to be embraced in Her Majesty's Order in Council, and these Provisions of any Order in Council become a part of the British North America Act. So far as the Hudson's Bay Territory is concerned, there is no legislature whose assent is required. What did the Government propose in their address? They proposed nothing as to its government. They asked simply for a transfer of the sovereignty subject to existing rights. I stated at the time that the address was not the one contemplated by the Act, and that no action could be taken upon it. The object contemplated by the address was a preliminary matter, to be disposed of before the provisions for the admission of the Hudson Bay Territory could be reached. Had the Ministerial view been correct, there was no reason for not embracing the Territory in the British North America Act. Holding the views I did, I felt that we ought to have obtained from the Province of Ontario the surrender of so much of her territory as lies West of Fort William, and to have assumed the Government of the North West as part of Canada, throwing upon the Hudson's Bay Company the initiative of any negotiation or suit for the determination of the Company's rights. No action having been taken by the Imperial Government upon the addresses that the Government had forced through our Parliament, Ministers were compelled to do what had been suggested—they sent parties into the Territory to construct a road, and thus by taking possession virtually forced the Company to agree to a transfer of their rights, whatever they may be.

But we have not to this hour submitted to the Imperial Government such an address as the law contemplates. The vital principle in the Federal System of Government is, that the local governments have the same high origin as the federal government. A local government, deriving its existence from the federal legislature, would continue to exist by suffrage. It would feel its dependence too much ever to act boldly or efficiently. It would constantly be encroached upon, and it would have no power to resist encroachment. It would at times be made the tool of the federal government, and if it resisted it would be in danger of extinction. It is essential to its healthful existence that it should be free from federal interference. But in its territorial condition this cannot wholly be; and what the addresses should have stated, and what the Order in Council should embrace, is a Territorial Government, or power

to create one, subject to these restrictions—the condition upon which the territorial state shall terminate, the powers with which she may become a province and the number of Senators she is to have. It ought not to be in the power of any government either to hasten or to delay her admission as a province into the union. I can easily conceive a state of things when the maintenance of a government in power might depend upon hastening or retarding the admission of the North West Territory as a province. Shall she have Senators or members representing her in the House of Commons during her territorial condition, ought to be determined by the House and set forth in the Order in Council. All this ought to have been done last session; but it was not done, nor was there anything done, except to make contingent and temporary provision for an arbitrary system of government in a territory that we did not take the proper constitutional steps to have transferred to us.

But the act of the present Ministry that will prove the most mischievous is that relating to the special subsidy to Nova Scotia. There is no public reason for the act, except to bribe the people of Nova Scotia to cease agitating for repeal. The negotiations were a bungle, and the act itself worse than a crime.

Everyone knows that the agitation for repeal was dead, or at least dying, from the time that the delegates of Nova Scotia failed in their mission to England.

I say the negotiation was a bungle. It was not a negotiation with the proper parties, if a negotiation was necessary. It was not entered into so much to conciliate Nova Scotia as to conciliate Mr. Howe, and to make it possible for him to enter the Cabinet and desert his party, with some prospect of success. Now it must not be forgotten that Mr. Howe is not a representative of Nova Scotia, but of Canada: He is in neither the Government nor the Legislature of Nova Scotia. He has not the expenditure of a dollar entrusted to the Nova Scotia Government. We were told the money voted would reconcile Nova Scotia to the Union, but we had not a single communication from any member of the Nova Scotia Government. We have now no assurance that as the money is placed at the disposal of the enemies of Confederation, it will not be used to promote disaffection. Nova Scotia was not entitled to any further subsidy. Ontario receives her subsidy upon a fixed population. The subsidy provided for Nova Scotia increases with her population. Had any wrong been done Nova Scotia, it was a wrong, therefore, that would correct itself. She received more in proportion to her population than Ontario before this special subsidy was had, and she contributes less. But worse than this subsidy of two millions is the principle involved. It overturns the stability of all the financial arrangements of the Union Act. The Act says that an annual grant of 80 cents per head of the population of Nova Scotia shall be paid until the population amounts to 400,000 souls, at which rate such grant shall thereafter remain. The Gov-

ernment have declared it shall not remain at 80 cents per head, and it may be they will tell us it shall not be limited to 400,000 souls. They have taught the people of the Provinces to look to the treasury for those special grants, which they should obtain by their local powers from local sources. They have changed the principles of the Constitution, and opened a broad road to abuses similar to those which we thought had forever passed away with our old system.

They tell us we have not got rid of providing for the local improvements that are required. They tell us we still are bound to provide the means; that we have only got rid of the power to control the expenditure; our power is diminished but our burden is increased by the additions to the family that we are called upon to maintain. Now, I ask you did you so understand Confederation? I know you did not. No sane man in this Province could have so understood it, knowing the abuses we sought to correct by its adoption. I trust the Local Legislature of Ontario, as the representatives of the people of Ontario, will declare their understanding of the matter in no ambiguous terms. I trust, if the Premier of the Ontario Government has not the courage to stand up for the rights of the people of this Province, that there will, at least, be sufficient honesty and courage in the Legislature to do so. I trust the friends of the right will be enabled to refer the matter to you for your opinion. Nor ought we to cease our agitation until all doubt is removed, and it is placed beyond the power of any Canadian Parliament to grant to any Province, from the Treasury of Canada, one dollar more than the supreme law authorizes.

I shall ask your attention to but one other matter relating to the policy of the Government, their course on Mr. Holton's resolutions in relation to the Established Church in Ireland. It is true we had no power to legislate upon the subject. It is true that it was a matter which directly concerned the people who resided in Ireland alone. But we had a very great indirect interest in the question. England had created a nuisance, which seriously affected the people of this country, and the Ministry said, it does not matter how seriously it affects you, you have no right to say anything upon the subject. Now this position, I hold, is altogether unworthy the people of Canada. Why have we had to arm and drill our volunteers? Why have we been obliged to incur what has hitherto been, for us, unprecedented expenditures for military purposes, and to call away our young men from peaceful avocations to guard our frontiers? Why, but because of the cruelty and injustice that have poisoned the minds and exasperated the feelings of the Irish Nation. The Government of Ireland has long been a disgrace to the British Parliament. Look at the disabling legislation collected by Parnell, and let me ask you in what other country in the world, except in Spain, against the Moors, can you find so many relics of barbarous legislation? It was at one time felony for a Roman Catholic to teach a school. It was felony to go abroad

to be educated. No Roman Catholic could be guardian of any child. The Roman Catholic father might be deprived of his property by his Protestant son. The Roman Catholics of every county were liable to be charged with all losses sustained at sea by any Protestant neighbor, during a war with any Roman Catholic prince. These barbarisms have passed away, but others still remain. It is no uncommon thing at this day for a Roman Catholic peasant to be horsewhipped by a squireen or his coachman, if he does not leave the way as rapidly as either wishes, or fails to lift his hat; and for him there is no redress.

A voice—Shame, shame; it is not true, it is false.

Mr. Mills continued.—A gentleman says it is not true. I would refer him to Parnel, to the Rev. Sidney Smith's Peter Flynley letters, and to the last chapter of Hallam's Constitutional History of England, in confirmation of what I have said of the penal code; and to the work of a learned Oxford Professor, as to the conduct of the inferior magistracy. He is not more earnest in his convictions than I am in mine. I was proceeding to say when interrupted, that the administration of the law by the inferior magistracy is partial, and it is also corrupt. We have the best authority for saying that while justice may be on the whole fairly administered between parties of the same caste—(for Ireland is divided into ranks, scarcely less strongly marked than Indian castes)—there is no chance for justice against one of superior rank. An Irish squireen who would entertain a suit against a fellow magistrate, brought by a Roman Catholic peasant, would be expelled from the society of those with whom he usually associated, and might himself become a victim of that species of punishment which owes its origin to the gross and notorious perversion of justice in Ireland. The legislation for Ireland has been of such a character as to array race against race, and the administration of the law has ever been in the hands of one of the hostile parties. Need we then be surprised that the other party looked to conspiracy and to private revenge for that redress which they knew it would be vain otherwise to expect? Need we wonder that such a practice, being never free from strong passion, became the instrument of terrible crimes? Well, we saw in the accession to power of the present English ministers hope for Ireland and the Irish people. We saw that there was a Ministry whose reverence for justice was stronger than their reverence for ancient abuses. We saw that the storm and the darkness which had so long rested upon Ireland might be driven away, and we felt it was the duty of the Parliament of Canada, in opposition to certain synods in this country, to do what we had a right to do on behalf of the oppressed.

Our resolution was a respectful expression of our opinion upon a measure in which we had a great interest. We felt that the then proposed measure for the Disestablishment of the Irish Church was the first of a series of necessary reforms. We knew there was no corner of the globe where ambition

or enterprise had carried the British flag, that there was not found the Irish Catholic soldier standing by for its defense. Their blood had been shed like water to maintain its honor, and yet, in their own country, they had been made tenants by sufferance—there was nothing left them but the air and the light. It was in the power of 5,000 landlords, alien in sympathy, under the authority of law, by ejection suits, to expel as many millions from the country. It is no wonder that men starved at home, and then driven abroad—treated like a foreign race, the victims of oppression in the land of their birth, should declare eternal enmity against those who had wronged them. Well, we saw that tardy justice was attempted, and we saw, too, that the House of Lords was disposed to defeat a necessary reform, and we said, Be just to Ireland. How did ministers meet so reasonable a proposal? They met it by a cowardly resolution; they said we will express no opinion upon the matter. They, in effect, said—If we vote against you we shall offend our Irish Catholic supporters here; if we vote with you, we shall offend our Conservative friends in England, who have made us Knights and Baronets. We will declare it is inexpedient to express any opinion upon the subject. We will charge the Opposition with moving a buncombe resolution to catch Irish Catholic voters. I deny this; but were it true, what then? Have our opponents been over scrupulous in the means they employed for this purpose? What has been our past relations to the Irish Catholics? There was a time when they were, in this country, found in the Reform ranks. We struggled side by side against an established church; we struggled side by side for the establishment of responsible government, for the establishment of municipal institutions, and for an Elective Second Chamber. Then came the school question, and we differed. Our difference, like the misunderstanding among friends, became bitter, and bitter things were said by each against the other. That question of difference has been finally settled. Are we to become factions, fighting against each other at every election, when we no longer have any cause? Why should we not, when the occasion offers, show to those with whom we had fallen out by the way that we were men and not demons; that we thought and felt as Liberals should feel; that we harbored no mean spirit of resentment? But if the Irish Catholics should remain in the ranks of our opponents, I shall still have no reason to doubt the wisdom of our course upon this question. If they, who in their own country, have long been the victims of gross injustice and cruel oppression, choose here to range themselves against the party of progress, it can only show all the more how mischievous that injustice and that oppression have been. I pass by the negotiations with Newfoundland. I pass by the question of dual representation. I pass by the promised boon to retail dealers—Mr. Rose's abortive scheme for driving out American silver. We were told to wait and view its glorious consummation. It was to be kept like a military campaign secret from the enemy. We waited, but saw nothing. We had, too, a banking

scheme submitted, which frightened the country with its lurid light, and went out in the darkness.

The Cabinet has from the first been in a dilapidated condition, and in constant need of repairs. Old politicians and young politicians have been taken in. Forgotten men have been recalled and placed in front as the forlorn hope of a strong government, that is nevertheless every moment in a condition of dissolution, but only to hear an adverse public judgment upon acts that have become facts of history. Every thing has been tried, but a vigorous public policy, in keeping with the spirit of the age, and suitable to our present condition. We have gained one thing, a more accurate knowledge of the exact meaning of a fair trial. And our experience has been of such a character that it will be a long time before so vague a plea will secure to those who make it the control of public affairs.

The people of this country have generally favored the permanency of subordinate office holders. But there cannot be a doubt that all the departments have become so crammed as to have created nuisances which require abatement. I believe any reform government coming into power would find themselves surrounded by men who would seek in every possible way to frustrate their policy; so that it becomes a question, whether it would not be better to authorize a complete change so as to enable any government to surround themselves with those who sympathized with their policy, and to dispense with the service of useless employees who have been forced upon their predecessors by the importunity of supporters. Let me give you an illustration. When the dominion parliament first met, a contingent committee was appointed to reorganize, what I suppose may be called, the speaker's department. That committee worked vigorously; and although a few of its members sought to throw obstacles in the way of reform; they succeeded in dispensing with the services of, I think, upwards of one hundred employees, and effected a saving of \$35,000 a year. Now I believe other public departments are filled in the same way. We all know of the peace offering to Sir A. McNab, and the frauds of Reiffenstein, which are a disgrace to the audit department of the government if not something worse.

Should this parliament live out its full term, it will have taxed the people of the country to the enormous amount of \$70,000,000, while it has been making provision for running in debt at the rate of 14,000,000 a year. Now no one can believe there is anything like a corresponding increase in our resources. At this moment, the most necessary undertakings are neglected by the government for the want of funds; and like an embarrassed debtor they are pressed on all sides for aid they cannot give, and they find themselves creating hopes which cannot be realized.

Time advances. A fair trial is being had. You will bye-and-bye be called upon for your verdict. I trust it will be such a verdict as the highest interests of the country demand. Let the reform party not lose faith in the power of truth or in the victories of patience.

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APPENDIX.

LETTER I.

SIR,—It was really painful to hear the lecturer of last night manifest such gross ignorance of the present state of Ireland, and advocate such anarchial sentiments. If the advocacy of Fenianism be undertaken in order to gain the Irish vote, I venture to predict it will prove unsuccessful; there is too much enlightenment and love of truth in Canada for that. I do not so much allude to what was said on the church question; there of course the speaker was politically consistent; though I would deny that the result will be as was anticipated. Has the downfall of the Irish Church put an end to agitation? Let the late manifesto of Paul Cullen and his assistants furnish the answer. What has been done may prove beneficial in arousing protestant activity, and in giving new life to the persecuted institution; but though the sop has been thrown to Cerberus he still grows most ominously. Any one who understands the state of Ireland, knows that the church was not a bugbear to the inhabitants generally, though made a grievance by those curses of every country, those who follow the trade or politics, not for the country's good, but their own. Will any one assert that for years past the tenant has paid the tithe? Has it not been commuted and made a charge upon the landlord? The new movement does not relieve the landlord, except by a fourteen-year's purchase from the Government. Will the tenant then pay one shilling less rent. The clergyman has indeed lost that which was his by the laws of the land; but neither the landlord nor tenant are relieved of the burden. The landlord will get all the rent he can, and the tenant will pay that rent. The Irish peasant well knew where to find a true friend. If Paddy was in difficulty he knew his way well to the Glebe House: where he generally found a friend whose purse was open to his wants, whose medicine relieved the sickness of his children, whose influence was used between him and his oppressors. Who in the late famine stood the friend of the fever-stricken and starving Romanist? (For it is true, whatever be the cause, that the poor are mostly members of the Church.) Who expended their substance even to the sale of their books?—Who, undeterred by fear of contagion, entered the cabins, tended the sick, and laid out the corpses? If the matter had rested with the Irish peasantry, no cry would ever have been raised against the church. But has peace been restored to Ireland by the action taken in that question? No. The real question remains to be dealt with—the land question. And here, Sir, I take still greater exception to the lecturer's remarks. It is truly deplorable to find an advocate of a large political party in Canada coming forward to justify or excuse "the wild justice of revenge;" the real cause, by the bye, of Ireland's unhappy state. We have been accustomed to speak of the late attempted Fenian raids on Canada as cowardly, mean and unjustifiable! To attempt to punish England by devastating the homes of peaceable Canadians! And yet forsooth we are told that the Government of Canada ought to have pronounced upon the the Irish Church question, because there is a large body of Fenians over the line, who might do us a great deal of injury: and to please whom we ought to have meddled in questions which do not concern us. What an honorable, high-souled argument for a

political leader to use! And we are blamed because as a people we did not act on such a cowardly, dastardly motive! But, sir, "the wild justice of revenge;" does the lecturer know what it means? I sincerely hope he does not. A Scotch or English capitalist pays hard cash for an estate in Ireland; on it he finds tenants; he naturally expects that those tenants will fulfil their engagements, as would be done in the land from which he came, in fact in any land except Ireland; he demands his rent, but soon a hired assassin from behind the plantation hedge proceeds to teach him justice in Ireland by putting a bullet through him. We are told that the poor man, more especially if a Romanist, need not expect to find justice. Now what is the fact; by far the greater portion of the judges, (I believe all except two) are Romanists; the police, almost to a man, are Romanists. Yes, it is hard to administer justice in Ireland; it is hard to bring to justice the assassin and the robber; it is hard to enforce the just payment of rents; but the blame rests with those who found such a warm-hearted advocate last night. We are told of the peasants' carts being forced into the ditch by the carriage of the rich man and the coachman's whip being laid across their backs and faces. Alas, sir, the truth is, that the hunting-whip, with its heavy lash, when used for such purposes, was generally wielded by clerical arms, as we have seen in our boyish days. I am happy, however, to be able to state that such a state of things has passed away and belong to a by-gone age, as well as the *obsolete* penal enactments and disabilities referred to with such unction as illustrative of the present state of Ireland. But will a tenant-right-bill calm down the agitation on the land question?—Any one who knows Ireland well knows that there will be no peace there, or at least the Fenian agitation will not be satisfied, until—not the king receive his own again—but the so-called *original* owners of the soil are reinstated. Now who is prepared to go that length? Who is prepared to say that in order to render justice to Canada, it would be necessary to declare invalid all the patents issued by the Crown, and all subsequent deeds by purchase, drive out the men who have cleared her broad acres, raised her cities and built her railroads, and restore the Indians their original hunting-fields! Is prosperity to have no rights in Ireland! If a man attempts to do what he likes with his own, his own purchased land, is "the wild justice of revenge" to step in and shoot him? Is that the political doctrine we are to be taught in St. Thomas in this enlightened age! Really, I was sorry to hear such sentiments from one who on other points seemed to have read up his subject most carefully. If Conservatism and prejudice are synonymous, then, sir, on Irish questions the lecturer must be regarded as a most outspoken Conservative, at least he has plenty of prejudice, or its synonym—ignorance.

Yours sincerely,

ST. GEORGE CAULFIELD.

St. Thomas, Nov. 10, 1869.

LETTER II.

TO THE EDITOR—I have read with some care the letter of the Rev. Dr. Caulfield, in the HOME JOURNAL of last week. The writer is, I understand, the same gentleman who interrupted me while speaking with cries of "shame, shame;" "it is not true;" "it is false;" and his letter is, I must say, not more courteous than his interruptions. He imputes to me "gross ignorance" of Irish affairs; but, I think, in this matter, I shall be able to show that the stool of the novice, and not the chair of the critic, is the proper place for him; that was he not possessed of a large share of prejudice against Irish

Roman Catholics, and a large share of ignorance of the present causes of discontent, he would have shown more caution in the expression of his opinions, if not more courtesy in the expression of his dissent.

Dr. Caulfeild was informed by the chairman, when I was interrupted, that if he desired to take exception to anything in my speech, the fullest opportunity would be given him at the close. Now it seems to me the doctor ought to have availed himself of the privilege. Why did he not? Why did he not then and there disabuse the minds of those who heard my "false" statements and "anarchical" opinions of any erroneous impressions that might have been made? Was Dr. Caulfeild afraid that his profound acquaintance with modern Irish politics, might, after all, not be available in a public discussion? Surely, if my ignorance of the present state of Ireland was "so gross, it would have been an easy task for Dr. Caulfeild to have confuted my statements, and relieved his pain.

Dr. Caulfeild insinuates that I am an advocate of Fenianism. I will not follow his example. I shall not deal in insinuations; I tell him boldly that Fenianism owes its origin to men of his views. It is another of the hateful progeny of men of his opinions. They have for ages been sowing the land with dragons' teeth, and it is now covered with enemies that have sprung up. Dr. Caulfeild entertains a cordial hatred for Irish Roman Catholics. He sees them restless and discontented in Ireland. Too prejudiced to understand their position, he is irritated rather than softened by their sufferings, and declares they have no good grounds of complaint. They have, he declares, shot good landlords for simply doing what they liked with their own property; they have caused a pious clergy—their best friends—to be robbed by an unfriendly government; they are still discontented; they are like the fabled monster that guards the gates of hell. He says they are no more entitled to any interest in the lands of Ireland than the Indians are to return and possess themselves of the cultivated districts of Canada. He denies that the administration of justice by the *inferior Magistracy* is partial, because *Superior Court Judges* are of the Roman Catholic faith! It would indeed be hard to find, compressed in so small a space, elsewhere, either so many misrepresentations or so many examples of inconsequential reasoning.

It is indeed strange that Dr. Caulfeild can see no difference between the position of the savages upon our northern frontiers, whose ancestors once held this country, and the peasantry of Ireland. Had we sought to drive out the Indians, and had we been but partially successful; had we carried on a series of desperate wars against them, in which myriads were slaughtered on each side; had we taxed our people to pay those who would succeed in killing Indians and bringing in Indians heads; had we, after this and other desperate modes of warfare, triumphed over them and subjugated their country, yet still finding them ten times more numerous than ourselves, left them in possession of the land, to cultivate and improve it, liable to pay us a rent, but not liable to be removed; if, years later, we gradually enlarged our property in the land, without their consent, until they had no rights in the soil, but were tenants by our sufferance, there would be some analogy between the condition of the Indians and that of the Irish peasantry; and if such were the case of the Indians, I do not hesitate to say that no patent from the Crown ought to stand in the way of a fair consideration of the equitable rights they would then hold from a higher source—from their Creator.

Dr. Caulfeild accuses me of asking for disestablishment on the ground that the Fenians otherwise might do us harm, and we should please them; and he exclaims, "What a high-souled argument for a political leader," and we (*i. e.*

CAULFEILD.

the Rev. Dr. I understand, of "shame, say, not more ignorance" of show that the proper place for against Irish

the opponents of disestablishment) are blamed for "not acting upon such a cowardly, dastardly motive." Now, I never used any such argument. It is simply a pious fraud to catch a little patriotic sympathy—a deliberate misrepresentation by Dr. Canfield. I did say, and I here repeat it, that England had, in establishing the Irish Church, created a nuisance, and it was her duty to abate it; that it had affected us injuriously, and, therefore, we had a right to ask her to abate it. Can the doctor see no difference between my argument and the one he has sought to put into my mouth? Can he admit my premises, and yet maintain that the conclusion is a "cowardly, dastardly argument."

I have no right to remonstrate with my neighbor for destroying his property, if he chooses to do so foolish a thing, unless he thereby endangers mine; but if he does this, then I have a right. Now the principle upon which Mr. Holton's resolution was based is one well recognized in international law. Why are you fortifying Cherbourg? asks England of France; why are you sending troops to Luxenbourg? asks France of Prussia; why are you sending a fleet to the West Indies? asks Spain of the United States; and, in fact, whenever the conduct of one people affects another people injuriously, they have a right to have the wrong redressed. I believe the late Established Church of Ireland, as a State institution, the most disgraceful that ever existed, not even excepting the Spanish establishment among the Moors; but the people of Canada had no more right to remonstrate with England concerning it, than with Russia concerning the misgovernment of Poland, had its consequences not been felt here; but if by either our government is rendered more costly and difficult, we have a sufficient ground for asking for reform. This is so elementary a principle of politic law that it is strange that any one can be found who cannot understand it.

I alluded to the *past* government of Ireland, not as an illustration of the *present* state, but to make the matter intelligible. It was the policy of statesmen of the last century to make the Roman Catholics of Ireland what the Helots were in Sparta; what the negroes were in Carolina. There were laws to keep them in ignorance. There were laws forbidding them to become owners of real property. There were laws forbidding them to become merchants or traders. There were laws which forbade them to hold tenancies beyond a certain value, and which punished them with forfeiture if they were so industrious as to have more than a certain percentage of profits. All these laws were enacted to reduce the Roman Catholic population to beggary. There were laws to degrade them socially. They were excluded from the professions. They were deprived of the right to sit in parliament. They were deprived of the elective franchise. It was made a capital offence for one of their clergy to unite one of them in marriage to a Protestant. They struggled desperately against the policy of an inhuman government; they struggled in vain. The government triumphed. The Catholic Irish were made ignorant; they were made poor; they were pressed down in the social scale. They now struggle; on in their poverty. The penal code has been repealed, but the consequence remains. The penal legislation of the last century did its work. The people have been crushed down, whence they can never rise unaided. Had the penal legislation still remained in force, it is difficult to see how it could much increase the misery of the people. The events of one age are taken up in the form of permanent results in the next which succeeds; and, it is because this is so, that it is impossible to give an adequate idea of the present state of Ireland without some reference to past legislation. I did not pretend to draw a full picture. I sketched a few

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prominent features. I will venture to say this—It was such a sketch that my hearers were enabled to get an intelligible idea of the causes of Irish discontent. It is sometimes a difficult thing to give a correct idea of the effects of a bygone policy, without going into detail and pointing out all the various consequences, whether transitory or permanent. It is an art, a difficult art, and Dr. Caulfeild complains because I confined to its principles, which alone prevented my brief outline from being a mere daub. Let me ask your readers what do they learn from my censor's letter? Simply this: that the Catholic Irish are robbers and assassins, who shoot honest men for wanting their own, and who are conspiring to revolutionize the government, that they may plunder the rich.

Dr. Caulfeild says, "It is truly deplorable to find an advocate of a large political party in Canada coming forward to justify or excuse the 'wild justice of revenge.'" I said nothing about the "wild justice of revenge." I never used the expression. I have met with it in Trench's "Realities of Irish Life." But this I will say now: that the combination among the tenants of Ireland, to prevent eviction, is simply a struggle for the right of existence. It is well known that many of the murders styled agrarian are not agrarian at all. It is conceivable when a man is a bad man other reasons for shooting him may exist besides the land question. We have had two famous trials in Canada, that of Brogden, in Ontario, and Chaloner, in Quebec, in which assassins were acquitted in the face of the admission of their deeds. The public in each case has done more than excuse—it has given its moral approbation. Why need we wonder at similar deeds in Ireland. The late Chief Justice Pennafather said in one of his charges—and I suppose he will be accepted by Dr. Caulfeild as an impartial authority—"The whole code relating to landlord and tenant in Ireland was framed with a view to the interest of the landlord, and to enforce the payment of rent. The interest of the tenant never once entered into the contemplation of the legislature." We need not wonder, then, that the power of the landlord is frequently abused. It has been pointed out by Archbishop Leahy, and it is unquestionably true, that William Scully was to blame for the outrage at Ballycohey. The monstrous lease which he forced on his tenants has been published (see Modern Ireland, by an Ulsterman, page 406). After the outrage there was a general disapproval of the lease and the attempt to enforce it. But let this be marked: this disapproval was not shown by the law. The law enabled Scully, by a detachment of police, by issuing placards offering rewards for the apprehension of those who resisted, and by a police tax upon the district to enforce his unjust acts. The people were driven to despair; they committed a fearful crime; but it was not done because a family's honor had been tarnished, but that whole families might not perish. It is acts like Scully's that make the landlord's hated. It is because the law sustains the landlord in his unjust acts that the people are seditious. It is said that on one of Lord Derby's estates 120 lease holders, who had enjoyed their lands for two generations were turned out upon some technical defects discovered in their leases.

In Ireland there are 20,000,000 of acres in the hands of 8,450 men. The original title of these proprietors was simply a right to certain rents and profits. By successive usurpations their right of property has been extended till it is as near to absolute property as our law allows—95 per cent of the present occupants being tenants at will.

I have said that the present condition of the Irish peasantry is one from which they cannot rise unaided, and I shall try and make this plain. Of the Irish peasantry 275,000 occupy between fifteen and thirty acres, and 246,000

families occupy less than 15 acres, 177,000 families

families are holding an average fifty-six acres to each family, including bog lands. Now, it is easy to perceive that the families who are living on less than fifteen acres of land each, must often be in circumstances of great destitution, and it must often occur that they are unable to pay rent. It is, accordingly, in this class that we find the greatest number of evictions, which some years have reached the appalling number of 17,000 families, turned out to perish. In 1847 the average amount of land to each tenant was about sixteen acres. It is now something more, but it is yet too small to enable him to pay rent and emerge from poverty.

In England the borough population is 44 per cent.; in Ireland it is 14 per cent. In England 61 per cent. are living in towns; in Ireland 80 per cent. live in the country. Now, the land does not grow, so that the increase of population means more certain degradation, as it necessitates a further division of land—an increased inability to pay rent—an increased number of evictions—an increased number dying by the wayside. We are told that if property was more secure in Ireland manufactories would spring up. It is not because property is insecure they do not, but because the centres of industry have become fixed elsewhere. When manufactories were in their infancy Irish producers were excluded from the British markets and from the colonies, by Imperial legislation. Why are the woollen manufactories found at Leeds; the cotton at Manchester; the hardware at Sheffield? Because the necessary skilled labor is now found at those particular centres. The man who wishes to engage in any branch of manufacturing industry will begin where he can obtain the necessary skilled labor. Why, for instance, should an English capitalist, wishing to engage in woollen manufacture, go to Cork or Waterford rather than to Leeds? There is no reason. He secures no additional profits by a protective tariff, and he does not do so.

In only one of two ways can manufactories grow up in Ireland, and relieve the pressure upon the land. First, by an exceptional tariff which would exclude for a number of years British and foreign manufactories, so that foreign capitalists might establish manufactories in the country; second, by terminating the titles of non-resident proprietors, and permitting the profits from the land, now sent abroad in payment of rent, to remain in the country; and this I think the preferable. It is not any more objectionable than to compel a proprietor to sell to a railway company a right of way. We did quite as arbitrary a thing in Canada when we put an end to Seigniorial property by Act of Parliament. And this I believe will be done. I am not disposed to discuss here, whether territory ever can become property in the same sense in which the products of human industry are property. I have said enough to indicate the the nature of the land question, which still awaits solution.

I shall now briefly revert to the conduct of the inferior magistracy. Mr. Arthur Young, the eminent agriculturist, in his Tour through Ireland, says: "The landlord of an Irish estate, inhabited by Roman Catholics, is a sort of despot, who yields obedience, in whatever concerns the poor, to no law but his will. A long series of oppressions, aided by many very ill-judged laws, have brought landlords into the habit of exerting a very lofty superiority, and their vassals into that of an honest submission. Speaking a language that is abhorred—and being disarmed, the poor find themselves slaves in a land of written liberty. Nay, I have heard anecdotes of the lives of the people being made free with, without any apprehension from the justice of a jury. The execution of the laws lies very much in the hands of justices of the peace, many of whom are drawn from the most illiberal class in the kingdom. If a poor man lodges a complaint against a gentleman, or any animal that

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chooses to call himself a gentleman, and the justice issues out a summons for his appearance, it is a fixed offence, and he will infallibly be called out. The peasantry know their situation too well to think of it. They have no protection." (See Taylor's History of Ireland, vol. 2, page 221.) The work of Goldwin Smith, upon the authority of which I made the statement I did as to the treatment of peasants, is styled: "Sketches of Irish History and Irish Character." It was first published, I think, seven years ago. He mentions it as one of the evils most difficult to correct. Dr. Caulfield may reiterate his denial, but I shall still prefer the high authority of the learned Oxford professor.

Dr. Caulfield asks: "Will any one assert that for years the tenant has paid the tithe?" Yes, he has always paid the tithe. By Lord Melbourne's Bill tithes were changed into rent charged upon the land, payable in money, but it no less ultimately came out of the pocket of the tenant. It may be he will have no less to pay to the landlord, yet he knows that a large proportion will go to purposes that will lessen taxation, and improve his condition. I have said that Ireland still feels the consequences of the penal legislation of the eighteenth century. How far has the government undone what was then done? They have not only repealed the penal laws as to education, but they have established schools. They have removed the social barriers. They have abolished the religious inequalities. They have still the causes of existing poverty to remedy, and a better class of inferior magistrates to find, and then the mischief that was done will be undone, and time will cure discontent. No one expects that the mischiefs produced by the misrule of ages will pass away at once, but they cannot long survive good government.

I have now very briefly alluded to the points raised by Dr. Caulfield's letter, except the single one, the desertion and persecution of the Church. This I will pass by. The religion and the loyalty of the Irish peasantry alike bear testimony to the character of her labors, and upon this double testimony I am content her case shall rest. It is by them history will judge her, and that judgment will be righteous.

Those ardent lovers of truth, who so long upheld her supremacy, and who now lament her fall, who have for more than three centuries clothed, and fed, and enriched her, by spoils from her more populous rival, can now bring her gifts all their own. She can recall her 205 ministers, who wander through the picture galleries of Paris, Florence and Rome, because they have no one to preach to at home, and find something useful for them to do. Her ministers who preach to native Irishmen against the use of a litany in an unknown tongue, in a language unknown to the people, will find more useful employment. The castle of indolence has fallen. Its inmates are scattered. The wealth that was so long squandered by the idle, goes to relieve unavoidable calamity among the poor. By so much, and more, has Ireland gained,

Your obedient servant,

DAVID MILLS.

Nov. 23rd, 1869.

P. S.—I have before me the plans of land reform by J. S. Mill; the Irish people and the Irish land, by Isaac Butt; the plan of the London *Spectator*, Dec. 28, 1867; and Lord Dufferin's examination of Mr. Mill's plan. It is impossible for me to give your readers a full exposition of their views. The opinions of most of them would be characterized as "anarchical" by Dr. Caulfield. The following points of the resolutions adopted by the farmers of Munster, delegates being present also from the counties of Cork, Limerick,

Clare, Tipperary, Macroom and Mallow, show what the tenants themselves demand:—

1. Fixity or perpetuity of tenure, based upon a fair rental to be determined by an agricultural board or other body.
2. The purchase of absentee's estates and their sale to the Government, to be let to the tenants with a view of giving them proprietorship eventually.
3. The Prussian land-bank system, with loans to the tenants, much the same as Mr. Bright's plan.
4. Tenants to be permitted to sell their interests or good-will.
5. That an absentee tax of 2s. in the pound be levied, and that certain taxes be divided between landlord and tenant.
6. No rent beyond valuation, and allowance in the valuation for improvements and for tenant right.
7. No leases, no rents, and permanency under good behavior, if not that, then 31 years leases.

D. M.

LETTER III.

Sir,—I shall not follow Mr. Mills in his long essay. As to the Church question, there is no use of discussing its justice or injustice: the deed is done; it only remains to look at the consequences. Has the movement given the desired peace to Ireland? I say not: Cardinal Cullen says not: Mr. Mill passes that point by. Mr. Mills supposes that because I am a clergyman of the Church of England I must hate my Roman Catholic fellow-countryman. I deny the insinuation. They were the friends of my youth: and I willingly bear testimony to their patience, charity and honesty: they have all the qualities to make an excellent people, were they let alone by political and religious agitators. Perhaps my affection and friendship is far greater than that of some who would appear their friends—for a purpose. As to the land question, it is far too deep for solution by my powers, or even those of Mr. Mills. The greatest statesmen of Britain acknowledge themselves at a loss upon it. If Mr. Mills has a practicable plan, he had better let it be known at Downing Street, and if it be approved of there, I should say a new and enlarged career in the world of politics will open up to him. May I venture to suggest that he should previously digest a little better the scheme he has propounded, lest, instead of honorable mention, one of our M.P.'s be classed among communists. I scarcely think it would do to propose to the Imperial Parliament to set aside patents from the Crown and rights to property, established not by twenty one years' possession, but that of centuries: or to act upon the cry of those who, having nothing to lose, would upset existing arrangements, in hope of coming in for something in the scramble. When Mr. Mill's political judgment is more matured, he may see that his present views are "anarchical." I would be the last person to deny that there is much need for action in the land question. Indeed, in my judgment, this, and not the Church, is *the* question of Ireland. But it is far easier to see the evil than to propound the remedy. Has Mr. Mills adduced one signal penal enactment in force at present: or any disability under which Romanists suffer? A little light seems to have dawned upon his mind since his lecture. He sees it is a matter of the *last* century: "the penal code has been repealed." He says he was only describing the present state by allusion to a by-gone state of things. It is a pity he was not a little more explicit on this point in his lecture. As an Irishman, I could not hear my country misrepresented without a word. It appeared to me that to rake up these old evils, which every one must deplore, could only have an injurious effect.

Yours sincerely,

ST. GEORGE CAULFIELD.

LETTER IV.

SIR,—I shall briefly notice the contents of Dr. Caulfield's letter which appeared in your paper of the 3rd inst. Dr. Caulfield is hastily retiring from a controversy of his own seeking, with much less confidence in his superior knowledge than he evinced in beginning. I regret that he has not done so in a way that would not have necessitated a reply. His pride made him feel that eudor would be humiliating, and he has sought to hide the ignorance he had exhibited of Irish affairs by misrepresenting me. The Dr. says that a little light has dawned upon me since the lecture; that I have discovered that the penal laws were of the last century; that the penal code has been repealed. I said explicitly that "these barbarisms have passed away, but *others* still remained." Of those others, I mentioned three—the established church, the administration of justice by inferior magistracy, and the relations between landlord and tenant. I referred to the Church because it was not disestablished when Mr. Holton proposed his motion, and I was speaking in defence of the conduct of the Reform party in reference to that motion. Why does Dr. Caulfield suppose I referred to Hallam, whose history closes with the death of George II., if I intended to refer to a later period? I mentioned the time in my letter, lest it might be supposed I referred to an earlier period. If I had chosen to have selected an earlier period I could have cited laws still more cruel. I said those penal laws had been repealed before I was interrupted by Dr. Caulfield. His interruption could not, therefore, have referred to the present existence of any of these laws. I was speaking of the conduct of the inferior magistracy when the Dr. took exception to what I said. He either intended to deny generally what I said, or specially what I was saying of the inferior magistracy. If he intended a general denial, as he now intimates, then he was denying that such laws had ever existed; as to the conduct of the inferior magistracy he is now discreetly silent. It is quite clear that it is upon Dr. Caulfield that a little light has dawned, since I spoke in your town, and he is endeavoring to conceal the fact.

The Dr. complains that I passed by his assertion that the disestablishment of the Irish Church has not given the expected peace to Ireland. Let me ask him who ever pretended to maintain that instantaneous tranquillity would follow disestablishment? Who ever supposed that the correction of an ancient abuse would have the effect of the enchanted fruit of the Arabian magician? Society is longer lived than man. Its organism grows more slowly. Its wounds are healed less rapidly. Would Dr. Caulfield think a person rational who expected to see a mangled and wounded man restored to health the moment one of his wounds was dressed by a skillful surgeon? In what respect does his question display better sense? If the Dr. will read my former letter with more care, he will see that I did not pass this point by.

I neither said, nor supposed, that because Dr. Caulfield is a clergyman of the Church of England, he hates Roman Catholics. No one can have a higher regard than I for many of the learned and liberal ministers of that church. Sydney Smith, the generous Bishop Berkely and the late Dr. Millman were ministers of the Church of England, and they were friends of the Irish Roman Catholics. I judged Dr. Caulfield by what he said. I assumed that he would not display more hostility than he really felt. His discretion may have caused him to show less. No one can fail to see that neither the language nor the spirit of his letter, is the language or spirit of a friend.

Dr. Caulfeild says the greatest statesmen of Britain acknowledge themselves at a loss upon the solution of the land question. It is not perhaps easy to say whom Dr. C. means by the greatest statesmen of Britain. It is quite evident that he excludes Mr. Gladstone and his cabinet, for they acknowledge themselves equal to such an undertaking, and have pledged themselves to introduce a measure. He excludes Mr. Mill and Mr. Herbert Spencer, the two most profound writers of our day, for they both declare they can find the necessary solution. Mr. Bright, when urging this matter upon the attention of Mr. Disraeli, speaks neither doubtfully nor hesitatingly. He says:—"I put the question to the Chancellor of the Exchequer. He is the only man of this Government whom I have heard of late years who has spoken as if he comprehended this question, and made a speech in the last session of Parliament which was not without its influence both in England and in Ireland. *I should like to ask him whether the Irish question is above the stature of himself and his colleagues?* If it be, I ask them to come down from the high places which they occupy and try to learn the art of legislation and government before they practice it." (House of Commons, 17th Feb., 1866.) It is quite clear that Mr. Bright was then of the opinion that Mr. Disraeli comprehended this question. Who, then, does Dr. Caulfeild mean by the greatest statesmen of Britain? It is evident that the Rev. gentleman is not particular in verifying what he says; that he has not read what leading statesmen have said upon the subject; that he made his statement to leave upon the minds of those who might read his letter the impression that my presumption was equal to his ignorance. It was very friendly on the part of Dr. Caulfeild to speak for me, as well as for himself, when he says the question is too deep for either to solve. Why then was the Dr. so anxious to discuss a question which lies beyond the range of his capacity? I do not pretend to judge of Dr. Caulfeild's capacity to understand the question. I have formed an opinion of the extent of his information. I say he has not the necessary information, and if he has not the capacity he never will acquire it. I will go further, and say if he does himself injustice in this particular his position is equally hopeless, for no man will strive to do that which he believes he cannot do. But I strongly protest against Dr. Caulfeild assuming to speak for me. If the Dr. had a little more knowledge of the subject he would not have been in such haste to condemn what he calls my plan. Had the Dr. done what he has not attempted—shown that there were well founded objections against it—this would not have been sufficient, when it is admitted that action is imperative. In nothing does Dr. Caulfeild show his entire unacquaintance with the most necessary incidents of the subject than in hinting that my opinions would lead me to be classed as a communist. This would be a dreadful thing no doubt. I neither proposed nor suggested anything approaching to communism, and the vague intimation of some dreadful political heresy will neither frighten me nor mislead the public. If the Dr. will give a little attention to the tendency of modern legislation in the English speaking countries of the world, he will discover that in certain matters there is a tendency towards Socialism. If my neighbor is idle or dissipated, so that his family are destitute of the means of subsistence, the law compels me to contribute a certain portion of my property to provide for their wants. It compels me to contribute to the education of the children in the school district in which my property is situated, whether I have children to be benefitted, or whether I have not. Rightly or wrongly, a socialistic element has grown up in the State, and in so far as this element is recognized, the effect upon property is precisely what it would be under a

system absolutely communistic. In these particulars, society has grown into communism, just as it did at an earlier stage grow out of communism. The State in our day will not accept a system conceived in the spirit of Cain—“Am I my brother’s keeper?” Professor Maine—now a member of the Supreme Council of India for judicial purposes—in his excellent work on Ancient Law, observes that “joint ownership, and not separate ownership, is the really archaic institution. * * * Each of the village communities of India is at once an organized patriarchal society and an assemblage of co-proprietors. The personal relations of the men who compose it are indistinguishably confounded with the proprietary rights, and to the attempt of English functionaries to separate the two, may be traced some of the most formidable miscarriages of Anglo-Indian administration.**** A great number of intelligent and observant writers, most of whom had no theory to support concerning its nature and origin, agree in considering it the least destructible institution of a society which never willingly surrenders any of its usages to innovation. Conquests and revolutions seem to have swept over it without disturbing it or displacing it, and the most beneficent systems of Government in India have always been those which have recognized it as a basis of Administration. * * * The Indian village community is more than a brotherhood of relatives, it is more than a society of partners; it is an organized society, and besides providing for the management of the common fund, it seldom fails to provide by a complete staff of functionaries for internal government, for police, for the administration of justice.” In Russia, in Servia, in Croatia and in Austrian Slavonia, the villagers are co-proprietors of the land, and the system is like that of India. The system is based upon the maxim found in the jurisprudence of Eastern Europe—that the property of families cannot be divided for a perpetuity. And this blending of property is found perfectly compatible with a separation of rights. (Ancient Law by H. S. Maine, ch. 8.) It is well known to every well read English lawyer, that more than half the population of the British Empire are living under this system of co-proprietorship. It is equally well known that, practically, the system produces none of those mischiefs that it is said would result from a system of communism. English administrators of the Indian Government have learned that it is not the province of a government either to create or to destroy the organization of society. I have not suggested the adoption of this system elsewhere; I have only here alluded to it for the purpose of showing that it is the system of millions, and it is of late so well understood by English jurists and statesmen, and the conditions favorable to its existence are so well understood, that even were its adoption proposed in Ireland, as it has been by Mr. Spencer, it could only be made a bugbear to frighten the ignorant. “In the law of persons,” says Mr. Maine, “our studies seem to show us the family expanding into the agnatic group of kinsmen; then the agnatic group dissolving into separate households; lastly the households supplanted by the individuals. Each step in the change corresponds to an analogous alteration of ownership.” I expressed a doubt as to whether land ever can be property in the same sense in which the product of human industry is property, and it is in this incidental allusion which seems to have startled Dr. Canfield. I will here make a citation or two and leave Dr. Canfield to urge upon the authors the necessity of “political digestion.”

Mr. Mill says, “Landed property is felt even by those most tenacious of its rights to be different from other property; and where the bulk of the community have been disinherited of their share of it, and has become the

"exclusive attribute of a small minority, men have generally tried to recon-
 "cile it to their sense of justice by endeavoring to attach duties to it, and
 "erecting it into a sort of magistracy either moral or legal. But if the State
 "is at liberty to treat the possessors of land as public functionaries, it is only
 "going one step farther to say that it is at liberty to discard them. The
 "The claim of the land owners to the land is altogether subordinate to the
 "general policy of the State. The principle of property gives them no right
 "to the land, but only to a right of compensation for whatever portion of
 "their interest in the land the State may deprive them of." (Political
 "Economy, Vol. 1, p. 285.) "It is," says Professor Newman, "a crude
 "and monstrous assumption that the land which God has given to our nation
 "is, or can be, the private property of any one. It is an usurpation exactly
 "similar to slavery. The slave-master calls himself slave-owner, and pleads
 "that he purchased the slave, and that the law has pronounced slaves to be
 "chattels. We reply that the law is immoral and unjust, and that no num-
 "ber of immoral sales can destroy the rights of man. All this equally
 "applies to land." (Lectures on Political Economy, p. 132-3.) This is
 "what is now taught to the young gentlemen of England by a Cambridge pro-
 "fessor, under sanction of the state. "If," says Mr. Spencer, "one portion
 "of the earth's surface may justly become the possession of an individual, and
 "may be held by him for his sole use and benefit as a thing to which he has
 "an exclusive right, then the other portions of the earth's surface may be
 "held, and our planet may lapse altogether into private hands. Observe
 "now the dilemma to which it leads. Supposing the entire globe to be so
 "enclosed, it follows that if the landlords have a valid right to its surface,
 "all who are not landowners have no right at all to its surface. Hence such
 "can exist on the earth by sufferance only. They are all trespassers. Save
 "by permission of the lords of the soil, they have no room for the soles of
 "their feet. Nay, should the others think fit to deny them a resting place,
 "these landless men might be equitably expelled from the earth altogether."
 (Spencer's Social States, p. 119.) Mr. Spencer advocates State ownership,
 and leases to individual. He maintains the tendency is towards this condi-
 tion of things, and that it no more involves a community of goods than leases
 from landlords. These are a few paragraphs from the opinions of men by
 whom the public opinion of England is being formed; and they depart much
 more widely from the sentiments of Dr. Caulfeild than anything I have ad-
 vanced upon the Irish land question.

So far as I can gather from the letter of Dr. Caulfeild it is the proposal to
 compel non-residents to sell their estates, to which he most strongly objects.
 Now I think I can show this does not interfere with the recognized rights to
 property. The Dr. in all his allusions to this subject, is confounding the
 maxims the courts lay down in determining the conflicting claims of persons
 with the policy of parliament in the exercise of the right of *eminent domain*.
 It is only upon the principle enunciated by Mr. Mill, that the exercise of the
 right of *eminent domain* can be defended. The Legislature, notwithstanding
 a patent from the Crown, takes private property for highways, for canals,
 for railways. It does not ask the owner's consent. It does not let him fix
 his own price. It never allows a private right to stand in the way of a great
 public interest. Now, upon what principle of abstract justice can it be
 maintained that this is right and proper in the interest of trade, but wrong
 and improper if employed to raise up a whole nation from poverty and social
 degradation? Is man to be of less consideration than money? The title of
 the Irish landlord to the land is no better than the title of a telegraph com-

pany to its property. The Legislature of England has made property in telegraphs the property of the State, and has compelled the companies to accept compensation. In what respect is this more defensible than what I proposed with regard to non-resident Irish landlords?

Does Dr. Caulfeild suppose that should the Indians of the N. W. Territory refuse to sell their interest in the lands of that territory, our government will acquiesce and abandon all efforts at colonization? Upon what principle are they to be deprived of their property without their consent? The seigniors of Lower Canada had rights in the soil as sacred as those of the Irish landlords. Our government, however, compelled them to accept a fair compensation for their interests, and vested the fee in the censitaires. They had their patents from Louis 14th; but they did not perpetuate their property in that form against the public interest. This is a policy exactly analogous to what I suggested might be pursued in dealing with the lands in Ireland, except in one particular—the evil which called for the change was of much less aggravated character in Lower Canada.

Ancient history furnishes three memorable instances remarkably like the land question of Ireland. In all these instances the remedy proposed was like the one I suggested. In two instances the measure was carried, *without any compensation* to the great proprietors, and so far, was less defensible; but it did give contentment and prosperity to the peoples.

The first to which I shall refer is the *seisachtheia*, or relief law, of Solon. The people of Attica, from a variety of causes, had become greatly embarrassed. They had mortgaged not only their lands but their persons. They were unable to meet their engagements. They were being reduced to slavery, and the whole land in the state was passing into the hands of a few proprietors. A state of anarchy, like that now existing in Ireland, was the result; with this difference—Attica was not annexed to any more powerful State that was disposed to enforce the rights of the new proprietors. The administration of the law had long been in the hands of the rich, and the debasement of the poor became intolerable. The poor were determined to extort for themselves some mode of relief. Solon was appointed to devise a reform to prevent this being done; and the *seisachtheia* (shaking off burdens) was his first measure. "This law," says Grote, "cancelled at once all those contracts in which the debtor had borrowed on the security of either his person or his land; it forbade all future loans or contracts in which the person of the debtor is pledged as security; it deprived the creditor in future of all power to imprison, or to enslave, or extort work from his debtor, and confined him to an effective judgment at law. * * * It swept off all the numerous mortgage pillars from the land in Attica, and left it free from all past claims. It liberated and restored to their full rights, all those debtors who were actually in slavery by previous legal adjudication; it provided the means of repurchasing those sold in foreign lands." (Grote's Hist. Greece, vol. 3, ch. 11.) It is upon this law mainly that the fame of Solon rests; and from its passage Athens begins her wonderful career of prosperity.

The condition of the Jews, from various causes, during the governorship of Nehemiah, was similar to that of the people of ancient Attica, and of modern Ireland. They had just returned from Assyria. They were engaged in rebuilding the walls of Jerusalem. They were surrounded by a hostile population. The wealthy took advantage of the necessities of the poor, forced them to mortgage their lands, and to sell their children into servitude. The people loudly complained. Nehemiah called a popular assembly, in

which it was determined by the general suffrage that what had been exacted should be returned; that all the lands, vineyards, olive yards and houses, should be released to their original owners. (Nehemiah, ch. 5.) According to Dr. Caulfeild, Nehemiah forced upon the wealthy an ill-digested and anarchial measure. He played the part of a political agitator, and urged the people on to overawe the usurers. He justified his conduct on moral grounds, and by a reference to the law of Moses; but it must not be forgotten that Judea was at this time a Persian province, and the law of Moses was not then the law of the land.

The third instance is the political and social condition of Rome during the period of Gracchii. I shall not, at this moment, discuss the nature and results of that agitation. The circumstances of the poor in these three cases were so strikingly similar to the present condition of the Irish peasantry, and the remedies proposed so like the one I mentioned in my former letter, that I thought well to call the attention of your readers to them, that they might see what the charge of Dr. Caulfeild, as to my suggestion being ill-digested and anarchial, involved. I thought well to do so further, because others besides Dr. Caulfeild have, parrot-like, and without reflection, been taught to charge the restless condition of the Irish people upon reform politicians and upon the Catholic priesthood. We see precisely the same results among the three most illustrious peoples of antiquity—the Jews, the Greeks, and the Romans. It is not because of the unprincipled conduct of either political or religious agitators that Ireland is discontented, but it is because there is in man a sense of justice and a sense of self-respect that make it impossible that he can be content with poverty and oppression. There is implanted in his fellow-man a feeling of sympathy for his suffering. And it is because this is so that tyranny has its limits, and injustice has an end. These are the high guarantees given by God against the perpetual degradation of our race, and by which its progress is secured. He who charges Irish discontent upon liberal politicians closes his eyes to the forces by which society progresses, and finds fault with his Maker.

What I suggested is not anarchial. Ireland is in a state of anarchy already. But it is a simple and direct way out of a condition of anarchy. A way to a more healthful, social and political condition; a condition in which life and property will be more secure, the people more prosperous and contented; one which will make the people of Ireland a source of strength and not a source of weakness to the empire.

Your obedient servant,

December 6, 1869.

DAVID MILLS.

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